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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bruce A. Fogelson )  
Serial No.: 09/768,476 )  
Filed: January 24, 2001 )  
For: BUILDERS ON-LINE ASSISTANT )  
Attorney Docket No.: 6040/80679 )

Hon. Commissioner for Patents  
Washington, D.C. 20231

ATTENTION: BOX MISSING PARTS

Sir:

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this date.  
April 6, 2001

Date Edward M. Tucker Edward M. Tucker  
Express Mail Label No.  
EL709888786US

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Nonprovisional application, enclosed is a supplemental Declaration and Power of Attorney which shows the proper claim of priority of parent application Serial No. 09/483,579, filed January 14, 2000. Accompanying this Response to Notice to File Missing Parts is a Preliminary Amendment correcting the claim of priority paragraph under Section heading "CROSS REFERENCE TO RELATED APPLICATIONS."

In addition, the enclosed supplemental declaration is being submitted to comply with the formal requirements of 37 CFR 1.67(c) since Appendix III in the above-identified continuation-in-part application was added after Mr. Fogelson, the inventor,

signed the original power of attorney which was forwarded to the Patent Office on January 24, 2000, the date of filing of this application.

A check in the amount of \$65.00 is enclosed to cover the late filing fee (small entity fee) for filing of the enclosed declaration. Please charge any additional fee to deposit account No. 23-0920.

Respectfully submitted,

WELSH & KATZ, LTD.

Dated: April 6, 2001

By *Teresa D Tambolas*  
Teresa D. Tambolas  
Reg. No. 47,126  
120 South Riverside Plaza  
22<sup>nd</sup> Floor  
Chicago, Illinois 60606  
(312) 655-1500



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/768,476	01/24/2001	Bruce A. Fogelson	6040/80679

CONFIRMATION NO. 1531

## FORMALITIES LETTER



\*OC000000005827359\*

WELSH & KATZ, LTD  
Jon P. Christensen  
22nd Floor  
120 South Riverside Plaza  
Chicago, IL 60606

Date Mailed: 03/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 65.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

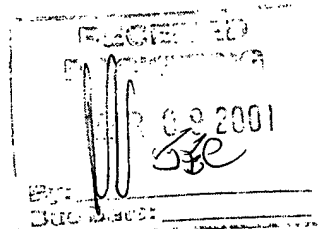
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

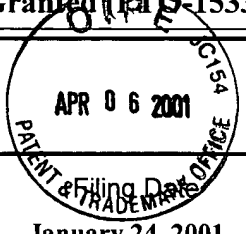
04/11/2001 BNGUYEN1 00000129 09768476

01 FC:205

65.00 OP



4-9-01 M.F. Sector 3

<b>Response To Notice To File Missing Parts Of Application</b> <b>Filing Date Granted (PTO-1533)(Small Entity)</b>		<b>Docket No.</b> 6040/80679	
In Re Application Of: <b>BRUCE A. FOGELSON</b>			
Serial No. 09/768,476	 January 24, 2001	Examiner	Group Art Unit
Invention: <b>BUILDERS ON-LINE ASSISTANT</b>			

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on March 5, 2001  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_

SMALL ENTITY STATUS CLAIMED ON TRANSMITTAL LETTER (PTO/SB/05) dated 1/24/01

- ☐ A separate request for refund.

- ☒ Other (list):

PRELIMINARY AMENDMENT in compliance with 37 CFR 1.121(b)(2) (i), (ii) and (iii), a marked-up version of section headed "Cross Reference to Related Applications" and a clean copy of replacement section for section headed "Cross Reference to Related Applications"

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**6040/ 80679**

In Re Application Of:  
**BRUCE A. FOGELSON**

Serial No.  
**09/768,476**

Filing Date  
**January 24, 2001**

Examiner

Group Art Unit

Invention: **BUILDERS ON-LINE ASSISTANT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☐ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due **\$65.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
6040/ 80679

In Re Application Of:  
**BRUCE A. FOGELSON**

Serial No.  
09/768,476

Filing Date  
January 24, 2001

Examiner

Group Art Unit

Invention: **BUILDERS ON-LINE ASSISTANT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of \$65.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-0920  
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

Teresa D Tambolas  
Signature

Dated: April 6, 2001

Teresa D. Tambolas - Reg. No. 47,126

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this date.

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CC: